

Land Development Code Improvement Committee Main Committee Meeting



Louisville Metro Planning & Design Services

June 18, 2013

LDC Improvement Committee

AGENDA

- INTRODUCTIONS / ANNOUNCEMENTS
- BRIEF SUB-COMMITTEE ACTIVITY REPORT
- FINISH DISCUSSION ON DEVELOPMENT REVIEW PROCESS RECOMMENDATIONS
- BEGIN DISCUSSION ON FAIR & AFFORDABLE HOUSING RECOMMENDATIONS
- OPEN DISCUSSION
- NEXT SCHEDULED COMMITTEE MEETING
 - TUESDAY, JULY 2, 2013
 - 3:00 - 5:00 PM
 - METRO DEVELOPMENT CENTER
 - 444 SOUTH FIFTH STREET
 - FIRST FLOOR CONFERENCE ROOM

LDC Improvement Committee

- 15 Main Committee Members:
 - Jim King - Metro Councilperson - District 10
 - James Peden - Metro Councilperson - District 23
 - Donnie Blake - Planning Commission Chairman
 - David Proffitt - Planning Commission & Board of Zoning Adjustments Member
 - Chuck Kavanaugh - Homebuilders Association of Louisville
 - Pat Dominik - Sabak, Wilson & Lingo
 - Kathy Linares - Mindel Scott & Associates
 - Deborah Bilitski - Wyatt Tarrant & Combs
 - Barbara Sinai - Crescent Hill Community Council
 - Steve Porter - Attorney
 - Tom FitzGerald - Kentucky Resources Council
 - Teena Halbig - Floyds Fork Environmental Association
 - Kevin Dunlap - Louisville Urban League
 - Gabe Fritz - The Housing Partnership, Inc.
 - Matt Meunier - City of Jeffersontown

- Phillip Bills - Director of Planning & Design Services - Ex-officio member
- Jim Mims - Director of Codes and Regulations - Ex-officio member

LDC Sub-committee Reports

- Permitted/Conditional Use Listings Review
- Form Districts
- Infill Development Standards
- Landscaping/Tree Canopy Requirements
- Development Review Process
- Fair & Affordable Housing
- Major/Minor Subdivisions
- Transportation/Mobility/Parking
- Miscellaneous Research

LDC Sub-committee Reports

- Infill Development Standards
 - Work complete.
 - Dates for Presentation to Main Committee
 - February 19, March 19, May 7 (Main Committee Adoption)
- Development Review Process
 - Work complete.
 - Dates for Presentation to Main Committee
 - May 21, June 4 & 18
- Fair & Affordable Housing
 - Work complete.
 - Expected Dates for Presentation to Main Committee
 - June 18 & July 2

LDC Sub-committee Reports

■ Miscellaneous Research

- Meeting #20 - May 30th
 - The group continued discussing their final report and recommendations.
- Meeting #21 - June 12th
 - The group continued discussing their final report and recommendations.
- Upcoming Meetings
 - Meeting #22 - July 10th 3:00 - 4:30 (if needed)
- Expected Dates for Presentation to Main Committee
 - July 2 & 16

■ Permitted/Conditional Use Listings Review

- Meeting #22 - May 28th
 - The group discussed golf courses, private clubs and a new conditional use permit for event and conference venues.
- Meeting #23 - June 11th
 - The group finished discussing golf courses and began reviewing their final report and recommendations.
- Upcoming Meetings
 - Meeting #24 - July 3rd 3:00 - 4:30
- Expected Dates for Presentation to Main Committee
 - July 16 & August 6

LDC Sub-committee Reports

- **Transportation/Mobility/Parking**
 - Meeting #15 - May 29th
 - The group discussed the incorporation of the TARC transit standards into the LDC.
 - Meeting #16 - June 12th
 - The group continued discussing TARC standards as well as sidewalk waiver/fee-in-lieu issues.
 - Upcoming Meetings
 - Meeting #17 - June 26th 3:00 - 4:30
 - Expected Dates for Presentation to Main Committee
 - August 6 & 20
- **Major/Minor Subdivisions**
 - Meeting #22 - June 4th (Conservation Subdivision Regulations)
 - The group discussed roadway and sidewalk requirements for conservation subdivisions.
 - Upcoming Meetings
 - Meeting #23 - June 18th 3:00 - 4:30 Conservation Subdivision Group
 - Expected Dates for Presentation to Main Committee
 - August 20 & September 3

LDC Sub-committee Reports

- Form Districts
 - Staff has been working on drafting the final report.
 - Upcoming Meetings
 - Meeting #16 - TBD
 - Expected Dates for Presentation to Main Committee
 - September 3 & 17

- Landscaping/Tree Canopy Requirements
 - Meeting #21 - June 10th
 - The group discussed the green management practices incentive proposal.
 - This group will now take a small break from meeting to allow staff time to work on drafting the final report.
 - Upcoming Meetings
 - Meeting #22 - TBD
 - Expected Dates for Presentation to Main Committee
 - September 17 & October 1

Development Review Process Sub-committee Report

- **Item #24 - Non-LDC - Assigning LD&T Dates When Rezoning Applications are Formally Filed**
 - The sub-committee recommends that PDS staff create and implement, on a limited basis, an alternate case management system that assigns LD&T dates at the time a formal application is submitted.
 - No LDC amendment needed.

- **Item #25 - Non-LDC - Change Name of Pre-DRC Meeting**
 - The weekly staff/agency meeting known as Pre-DRC has evolved since first instituted and the title of the meeting no longer accurately represents the purpose of the meeting and sometimes causes confusion.
 - The meeting should be re-titled “Inter-Agency Review Meeting”.
 - No LDC amendment needed.

Development Review Process Sub-committee Report

■ Item #26 - Non-LDC - Staff Report Recommendations

- Replace the current “+” and “-“ system with either a “checkmark” for compliance, “NA” for not applicable, or “MIN” for more information needed. “MIN” items may include a detailed explanation including the reasons why further discussion and analysis is needed.
- Staff report conclusions will no longer include a statistical breakdown outlining how many policies are in compliance or out of compliance, but rather include a summary of the policies that may need further discussion and analysis by the decision makers.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments	Final Finding	Final Comments
1	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.3: The proposal supports the creation of a mix of residential housing choices and densities for the neighborhood.				
2	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal is classified as high density (greater than 12 dwelling units per acre), it is located on a major or minor arterial or in a location that has limited impact on adjacent low or moderate density developments.				
3	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal introduces a new housing type to the neighborhood, it is designed to be compatible with nearby land uses.				
4	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.3: Neighborhood streets are designed to invite human interaction and easy access through the use of connectivity, and design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets.				

Development Review Process Sub-committee Report

▪ Item #27 - Non-LDC - Prioritize Meeting Agendas

- In an effort to facilitate effectively organized public meetings, the sub-committee recommends that the Planning Commission and its staff strive to arrange meeting agendas with relatively simple cases first followed by more complex cases later.

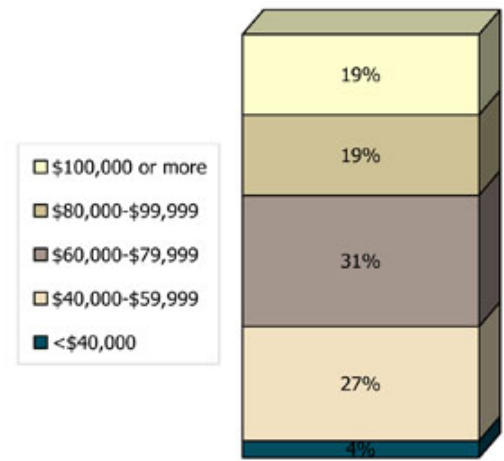
▪ Item #28 - Non-LDC - Long Range Planning Staff

- The sub-committee recommends reinstitution of Louisville Metro's Long Range Planning staff back into the Division of Planning & Design Services
- The sub-committee recommends increasing the number of long range planning staff to bring Louisville more in line with other comparable cities.

▪ Item #29 - Non-LDC - Increased Pay for Planners

- Louisville's professional planners are paid significantly less than the national average.
- To attract and retain highly qualified employees Louisville must offer a more competitive salary.
- The Development Review Process sub-committee requests the LDC Main Committee voice their support for increased pay for Louisville's professional planning staff.

Annual Salary



base: 10,182 full-time planners

Development Review Process Sub-committee Report

- **Item #30 - Non-LDC - Technology Improvements**

- Technology upgrades are planned for both the offices of Planning & Design Services as well as the meeting room in the Old Jail Building.
- The Development Review Process sub-committee requests the LDC Main Committee voice their support for continued technology improvements for Planning & Design Services.

- **Item #31 - Should Surveys be Required for Certain Types of Development Applications?**

- Continued discussion from 5/7/13 LDC Main Committee meeting.
- What is the problem? Why should we require surveys with application submittals?
- Should surveys only be required with certain types of development applications? Which ones?
- Should surveys only be required for applications that will be reviewed by the Planning Commission or one of its sub-committees, or by the Board of Zoning Adjustments?

Development Review Process Sub-committee Report

- **Item #8 - Plan Certain Development Procedures**

- Section 11.4.7 - Clarifying language added to indicate this section applies to development plans as well as binding elements.
- Section 11.7.5 - Simplification of required process to initiate legislative body review of plan certain development plans.

- **Item #23 - Application Submittal Notification Proposal**

- Proposal requires applicants to send notices via mail to adjoining property owners and other interested parties within seven days of filing certain development applications with Planning & Design Services.
- PDS Staff would also send electronic notice to individuals registered within the applicable Metro Council District.
- Main Committee needs to decide whether to keep Development Plans and Binding Element Amendments grouped with the other Two Tier notice application types (rezoning/CUP), or to move it into the category with the other One Tier notice application types (variance/waiver).

Fair & Affordable Housing Sub-committee Report

- This sub-committee was charged with reviewing and improving existing fair and affordable housing related sections of the Land Development Code (LDC) as well as proposing new ideas that will increase fair and affordable housing opportunities throughout Louisville Metro.



Fair & Affordable Housing Sub-committee Report

QUICK FACTS

- 64% of Jefferson County is zoned to allow single-family residential development on lots 9,000 square feet (0.20 ac) or larger. Since it is not often realistic or feasible to construct affordable housing units on lots of this size, it is important for the LDC to offer alternative optional development tools that are more conducive to fair and affordable housing throughout all of Jefferson County.
- Only 6% of Jefferson County is currently zoned to allow multi-family residential development (R zones only; 11% with C & OR zones). Increasing the opportunities for multi-family residential development ultimately increases fair and affordable housing opportunities throughout Jefferson County.
- Louisville's home ownership rate changes annually, but hovers around 65%. This means that up to 35% of Louisville's population in a given year may be renters. The LDC should contain development tools that will support both segments of the population, renters and homeowners.
- In 2011, 17% of Louisville's population had incomes below the poverty level.

Fair & Affordable Housing Sub-committee Report

- Between June 12, 2012 and May 22, 2013 the Fair & Affordable Housing Sub-committee met 18 times. The meetings averaged 10 participants per meeting. The 44 individuals listed in the staff report participated in this sub-committee.
- Summary of the 11 recommendations resulting from the efforts of this sub-committee.
 - Items #1, 1A, 1B, 1C & 1D are related to proposed revisions to the current Alternative Development Incentives (ADI) regulations.
 - Items #2 & 2A are related to a new proposed development option known as the Mixed Residential Development Incentive (MRDI).
 - Items #3 & 3A are related to a new proposed development option known as the Affordable Housing Density Bonus.
 - Item #4 includes three ideas to increase multi-family residential opportunities throughout Louisville Metro.
 - Item #5 is a proposal that will increase multi-family residential design options in the R-5A zoning district.
 - All of these items involve either changes to current LDC text or insertions of new proposed text into the LDC.
 - Each of the 11 items will need to be acted on separately by the LDC Main Committee.

Fair & Affordable Housing Sub-committee Report

▪ Item #1 - Alternative Development Incentives Revisions

- ADI Intent Statement: This section provides incentives for developers who provide open space, housing that reinforces income diversity, and other community benefits in keeping with the goals of Cornerstone 2020. In brief, in return for these community benefits, this section will permit developers to reduce lot sizes in subdivisions and more closely approximate the allowable density under the applicable zoning district regulations. The greater the benefits offered, the higher the density allowed, within the limit established by the site's zoning classification.
- History of current ADI regulations
 - First version of ADI regulations adopted in 2003
 - ADI regulations revised in 2004
 - Changes included:
 - Restructuring of how diversity housing levels is defined.
 - Changes made to perimeter property dimensional requirements.
 - Increased open space requirements.
 - Qualified Neighborhood B was created.
 - Distance changed from ¼ mile to ¾ mile in proximity to major transit corridor.
 - Point system adjusted, more difficult to achieve maximum density bonus.
- Statistics on ADI developments
 - 15 ADI subdivisions have been approved since 2003.
 - The last ADI subdivision was approved in 2006.
 - Less than half of the approved ADI subdivisions have been developed.

Fair & Affordable Housing Sub-committee Report

▪ Item #1 (cont.) - Alternative Development Incentives Revisions

- Changes proposed:
 - Improved references to Section 5.3.1.D which includes dimensional requirements for ADI Developments.
 - Eliminated limitations on density bonus by removing proximity to major transit corridor restrictions.
 - Amended minimum dimension required in open space from 50' to 30' to be consistent with Conservation Subdivision regulations.
 - Restructuring of Diversity Housing Levels (change from four levels to three levels) in an attempt to simplify process. Diversity Housing Levels are now defined using a formula that factors in Jefferson County area median income (AMI) and the allowable monthly housing costs as determined by the Kentucky Housing Corporation.
 - Ten percent of all units in an ADI development must be Diversity Housing Units. Ten percent of all Diversity Housing Units must be Diversity Housing Level 1 units. Previously 10% of all units in an ADI development had to be Diversity Housing Level 1 or 2 units.
 - Applicant required to submit status reports to Planning & Design Services. Interval changed from 6 months to 12 months.
 - Cemeteries have been added as a cultural resource.
 - Major Transit Corridors has been redefined as Arterial Transit Corridors and distance changed from $\frac{3}{4}$ mile to one mile.
 - Proximity to bus route point opportunity added.
 - Requirements for perimeter parcels in an ADI development have been revised to be less cumbersome yet still provide protections for adjacent developed residential properties.
 - Point system has been revised to reflect proposed changes, but also to increase density bonus incentive opportunities.
 - Increased opportunity to achieve maximum density bonus.
 - Table that illustrates current diversity level price points has been updated.

Fair & Affordable Housing Sub-committee Report

- **Item #1 (cont.) - Alternative Development Incentives Revisions**
- Highlights of ADI Option:
 - Applicable only in R-4 & R-5 zoning districts.
 - 10% of units in a proposed ADI development must be Diversity Housing Units.
 - 10% of the Diversity Housing Units in an ADI development must be Diversity Housing Level 1 units.
 - Diversity Housing Level 1, 2 & 3 Definitions.
 - Formula used to determine initial sale price limits of Diversity Housing Level 1, 2 & 3 units.
 - Qualified Buyer Definition.
 - Qualified Neighborhood incentive.
 - Points are accrued in up to six categories.
 - Density bonus based on point total. Can not exceed maximum density allowed in underlying zoning district.
 - Reduced sized lots are allowed in ADI developments, but there is an open space requirement that must be met in order to have reduced sized lots.
 - Major Subdivision Preliminary Plan review process applies.
 - Annual report submitted to Planning & Design Services.

Fair & Affordable Housing Sub-committee Report

- Item #1 (cont.) - Alternative Development Incentives Revisions
- Diversity Housing Level Definitions:
 - Diversity Housing Level 1: Level 1 unit sale prices shall be calculated using 80% of the current Jefferson County area median income (AMI) limit for a given household size.
 - Diversity Housing Level 2: Level 2 unit sale prices shall be calculated using 90% of the current Jefferson County area median income (AMI) limit for a given household size.
 - Diversity Housing Level 3: Level 3 unit sale prices shall be calculated using 100% of the current Jefferson County area median income (AMI) limit for a given household size.

Fair & Affordable Housing Sub-committee Report

▪ Item #1 (cont.) - Alternative Development Incentives Revisions

- Housing Diversity Level price points shall be determined using the following formula, which is based on 80%, 90%, and 100% of the current Jefferson County area median income (AMI) limits for a given household size established by the US Department of Housing and Urban Development (HUD) website. The formula is:

$$\text{XX\% AMI} / 12 = Y \times .29^* = Z \times 140^{**}$$

- XX% AMI is the annual HUD income limit based on family size at 80%, 90% or 100% (based on diversity level desired to achieve)
- Y is the monthly income based on the annual HUD limit for family size
- Z is the allowable housing cost
- ** .29 of monthly income is the Kentucky Housing Corporation and industry standard for allowable housing costs per month.*
- *** 140 represents the sales price divided by the allowable monthly payment. The original sales price that was used to create the constant factor was derived by the 80% HUD AMI figure for 3-person through 5-person households. That gross income figure was divided by 12 so that the monthly income was established. The monthly income figure was multiplied by .29, which represents the 29% of monthly income to be used for housing which is a universal standard among the lending industry. This monthly figure was then backed into a sales price based on payment that took into account the current market interest rate, price of insurance (based on an average) and local property tax escrow (based on an average). The resulting sale price was conditional upon market interest rates; however, by dividing that price by the monthly allowable payment (which is not based on market rate and isn't a conditional figure upon any other factor) we are able to get the constant multiplier.*

Fair & Affordable Housing Sub-committee Report

- Item #1 (cont.) - Alternative Development Incentives Revisions
- In order to be eligible to become a homeowner of one of the Diversity Housing Units in an ADI development an individual must meet the definition of a “Qualified Buyer.”
 - Qualified Buyer - The Metropolitan Housing Authority (City or County) or a person whose household income for the last two years was ~~400%~~ 110% or less of the median household income for Jefferson County as reported annually by HUD, or a corporation that has received low income housing tax credit to be applied toward the subject site.
- ADI developments may be located on any property zoned R-4 or R-5, but points are awarded to ADI developments located in Qualified Neighborhoods.
 - Qualified Neighborhood A includes those census tracts defined by the most recent census as having more than 20% of households below poverty level. New developments or re-developments in Qualified Neighborhood A that build houses priced at the Level 3 shall be eligible for incentives under these regulations.
 - Qualified Neighborhood B includes those census tracts defined by the most recent census as having the median household income at 150% or greater of the median household income for Jefferson County. New developments or re-developments in Qualified Neighborhood B that build diversity units shall be eligible for incentives under these regulations. The applicant shall submit appropriate census data information with applications that request incentives for this item.

Fair & Affordable Housing Sub-committee Report

▪ Item #1 (cont.) - Alternative Development Incentives Revisions

TABLE 4.5.1—COMMUNITY BENEFITS

BENEFIT	POINTS
Open Space: Neighborhood Form	
Minimum of 20% of land set aside for common or public open space, or	0.5
Minimum of 30% of land set aside for common or public open space, or	1.5
Minimum of 40% of land set aside for common or public open space, or	2
Minimum of 50% of land set aside for common or public open space, or	2.5
Open Space— Traditional Neighborhood Form	
Minimum of 10% of land set aside for common or public open space, or	0.5
Minimum of 20% of land set aside for common or public open space	1.5
Diversity Housing Level 1	
At least 10% but less than 15% of units are Level 1, or	3
At least 15% but less than 20% of units are Level 1, or	4.5
20% to 50% of units are Level 1, or	5.5
Over 50% of units are Level 1	3.5
Additional credit if 30% to 50% of Level 1 units are developed as detached single family units, or	2
Additional credit if over 50% of Level 1 units are developed as detached single family units	3
Diversity Housing Level 2 and 3	
At least 10% but less than 20% of units are Level 2 or 3 units, or	2
20% to 50% of units are Level 2 or 3 units, or	2.5
Over 50% of units are Level 2 or 3 units	2
Additional credit if at least 50% of these diversity units are restricted to the Level 2 diversity housing price range	1
Qualified Neighborhoods	
Development is in Qualified Neighborhood A and at Level 3 housing price, or	3.5
Development is in Qualified Neighborhood B and qualifies for points for providing Level 1	2
Protection of Cultural Resources	
Preservation of Historic Resource	1
Preservation of significant additional property surrounding a Cultural Resource that enhances its cultural value, as determined by the Historic Landmarks and Preservation District Commission	1
Efficient Land Use	
Within 1 mile of an arterial street	2
Within ½ mile to bus route	0.5
Brownfield site	6

Table 4.5.2 Maximum Permitted Gross Density

Zoning District	3 pts	4 pts	5 pts	6 pts	7 pts	8 pts	9 pts	10 pts
R-4	3.5	3.6	3.9	4.1	4.3	4.5	4.7	4.84
R-5	5.4	5.6	5.8	6.2	6.5	6.8	7.0	7.26

Fair & Affordable Housing Sub-committee Report

- **Item #1A - ADI - Qualified Buyer Definitions**

- In order to be eligible to become a homeowner of one of the Diversity Housing Units in an ADI development an individual must meet the definition of a “Qualified Buyer.”
- In an attempt to increase the pool of potential homeowners the definition of Qualified Buyer is being amended to include persons whose household income for the last two years was 110% or less of the median household income for Jefferson County as reported annually by HUD. Previously the above percentage was listed as 100%.
- **Qualified Buyer** - The Metropolitan Housing Authority (City or County) or a person whose household income for the last two years was ~~400%~~ **110%** or less of the median household income for Jefferson County as reported annually by HUD, or a corporation that has received low income housing tax credit to be applied toward the subject site.
- **Qualified Buyer Verification Form** - A form, provided by the public agency handling Community Development and Home Funds and successor programs, that verifies that a person's household income for the past two years was ~~400%~~ **110%** or less of the median household income for Jefferson County as reported annually by HUD.

Fair & Affordable Housing Sub-committee Report

- **Item #1B - ADI - Diversity Housing Unit Definition**

- This item is simply a change in the LDC Chapter 1 definition of Diversity Units, which included the old four level system, to the new definitions for the proposed three tiered diversity housing level system.

- ~~**Diversity Units** – Four price levels of housing unit qualify as housing diversity units. Level 1 units shall mean residential dwellings that shall be sold for a total price no greater than 2.5 times the current low-moderate income limit for a given household size; Level 2 units shall mean residential dwelling units that shall be sold for a total price no greater than 2.75 times the current low-moderate income limit; level 3 units shall mean a residential dwelling that shall be sold for a total price no greater than 3.0 times the current low-moderate income limit for a given household size; Level 4 units shall mean a residential dwelling units that shall be sold for a total price no greater than 3.25 times the current low-moderate income limit for a given household size. (See definition for a given household size.) Sales price restrictions are applicable to sale to initial occupant only. Household sizes shall be translated into house sizes as follows: one and two person households: 1 bedroom; three persons: 2 bedrooms; four persons: 3 bedrooms; five or more persons: 4 bedrooms.~~

- **Diversity Housing Level 1: Level 1 unit sale prices shall be calculated using 80% of the current Jefferson County area median income (AMI) limit for a given household size.**
- **Diversity Housing Level 2: Level 2 unit sale prices shall be calculated using 90% of the current Jefferson County area median income (AMI) limit for a given household size.**
- **Diversity Housing Level 3: Level 3 unit sale prices shall be calculated using 100% of the current Jefferson County area median income (AMI) limit for a given household size.**

Fair & Affordable Housing Sub-committee Report

- **Item #1C - ADI - Lot Size Restriction**

- Dimensional requirements such as required lot area, lot width and building setbacks for ADI developments are found in LDC Section 5.3.1.D.2 (see staff report). The sections that limit the number of smaller lots allowed are being removed in an effort to increase realistic design opportunities for alternative housing styles such as attached units, zero lot line units, townhouse units and patio home units.
- For example according to current regulations, no more than 25% of lots in an ADI development are actually allowed to achieve the minimum lot sizes listed for Alternative Housing Styles. Also, a minimum of 20% of lots in an ADI development are required to meet the typical R-4 or R-5 lot size rather than be allowed to achieve the minimum lot sizes listed for Alternative Housing Styles.

Fair & Affordable Housing Sub-committee Report

- **Item #1D - ADI - Planned Residential District Adjustment**
- The Planned Residential Development (PRD) zoning district found in LDC Section 2.7.3 includes a diversity housing option and refers to the old definition of diversity units. The text below should be amended as shown to reference the revised definition of diversity housing units.
- **Section 2.7.3.B. Required Features.**
- Planned residential developments shall meet at least two of the following criteria. Applicants shall include a justification statement as part of the application. The justification statement shall explain how the proposed development fulfills the five criteria listed below. Cornerstone 2020 strongly supports provision of affordable and appropriate housing throughout the community. If applicants for developments creating 50 or more dwelling units do not reserve 10% of proposed dwellings for this purpose (~~at least 5% of dwellings are Diversity Level Units 1 or 2, remainder of the 10% are Diversity Level Units 3 or 4, as defined in Chapter 4 Part 5~~ **at least 10% of all proposed dwellings must be Diversity Housing Units; 10% of the Diversity Housing Units must be Level 1 Diversity Housing Units; additionally, Diversity Housing Units from the Level 2 and 3 categories may be added**), the justification statement shall address how the proposal complies with the housing elements in relationship to other guidelines and policies of the Comprehensive Plan.

Fair & Affordable Housing Sub-committee Report

- Item #2 - Mixed Residential Development Incentive (MRDI) Option
 - This concept is intended to promote and encourage residential developments that include a mixture of housing types (single & multi-family) and a mixture of price points.
 - The following idea would allow multi-family residential development to occur in certain single-family residential zoning districts without requiring a zoning change.
 - A density bonus is also offered in exchange for a commitment to provide multi-family units and affordable units.
 - The ability to have different housing styles and price points within close proximity to each other is becoming increasingly more important to families with our society's changing demographics and housing preferences.

Fair & Affordable Housing Sub-committee Report

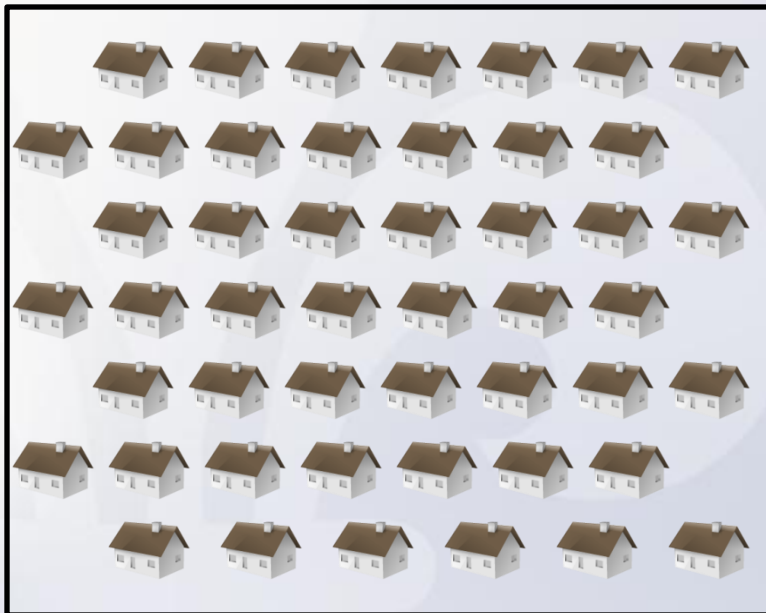
- Item #2 (cont.) - Mixed Residential Development Incentive (MRDI) Option
- Highlights of MRDI Option
 - Allows multi-family development in R-4 & R-5 zoning districts without zoning change.
 - Developer commits to certain number of multi-family units.
 - Developer commits to certain number of affordable units. Can be multi or single-family; owner occupied or rentals.
 - Minimum 10% open space requirement.
 - Accrue points in up to 13 categories.
 - Higher point total entitles developer to higher density bonus, up to 25% above what underlying zoning allows.
 - Reduced lot sizes are allowed to increase design options and to achieve density bonus.
 - Major Subdivision Preliminary Plan review process applies.
 - Annual report submitted to Planning & Design Services.

Fair & Affordable Housing Sub-committee Report

▪ Item #2 (cont.) - Mixed Residential Development Incentive (MRDI)

Traditional R-4 Development

- 55 acres – 4 acres ROW = 51 acres
- 4.84 lots/acre
- 246 lots (all 9,000 SF lots)
- All single-family
- No affordable units
- No open space



MRDI Development (R-4 zoning)

- 55 acres – 4 acres ROW = 51 acres
- 5.80 units/acre (20% density bonus)
- 296 total dwelling units
- 191 single-family (50-4,500 SF; 50-7,000; 91-9,000 SF)
- 105 multi family units (2 lots=8 acres) (35%)
- 59 affordable units (half houses/half apartments) (20%)
- 11 acre open space lot (20%)



Fair & Affordable Housing Sub-committee Report

- **Item #2A - MRDI - Associated Ch. 2 & 5 Changes**
- The following sections must be amended to include a reference to the alternative densities and lot sizes allowed with the MRDI option:
- Section 2.2.6.E.2 - R-4 Maximum Density: 4.84 dwellings per acre
 - Add the following: Additional density may be achieved using the Mixed Residential Development Incentive (MRDI) Option. See Section 4.3.19.
- Section 2.2.7.E.2 - R-5 Maximum Density: 7.26 dwellings per acre
 - Add the following: Additional density may be achieved using the Mixed Residential Development Incentive (MRDI) Option. See Section 4.3.19.
- Section 5.2.2 Traditional Neighborhood Form District
 - Add the following text after Table 5.2.2: Note: Minimum lot area requirements for Mixed Residential Development Incentive (MRDI) developments can be found in Section 4.3.19.
- Section 5.3.1 Neighborhood Form District
 - Add the following text after Table 5.3.1: Note: Minimum lot area requirements for Mixed Residential Development Incentive (MRDI) developments can be found in Section 4.3.19.

Fair & Affordable Housing Sub-committee Report

- Item #3 - Affordable Housing Density Bonus

- This idea offers a density bonus for developments that provide a certain percentage of affordable units. This option can be applied to developments in any zoning district that allows residential development, single or multi-family, as a permitted use.
- How this option differs from the MRDI option:
 - 1) This option is solely tied to the commitment to provide affordable units within a development proposal.
 - 2) This density bonus can be used in many zoning districts as opposed to only R-4 & R-5.
 - 3) This option does NOT allow multi-family development to occur in single-family zones as the MRDI option does.

Fair & Affordable Housing Sub-committee Report

- Item #3 (cont.) - Affordable Housing Density Bonus
- Highlights of Affordable Housing Density Bonus
 - Can be applied in any zone that allows residential development.
 - Can be attached to a zone change or major subdivision application.
 - Developer commits to certain number of affordable units. Can be owner occupied or rentals.
 - Up to 30% density bonus allowed based on number of affordable units in proposal. Density bonus is above and beyond density allowed in underlying zoning district.
 - 10% to 25% open space requirement based on density bonus achieved.
 - Reduced lot sizes are allowed in single-family developments.
 - Annual report submitted to Planning & Design Services.

Fair & Affordable Housing Sub-committee Report

- Item #3A - Affordable Housing Density Bonus - Associated Ch. 2 & 5 Changes
- References throughout Chapter 2 & 5 are needed regarding the alternative densities and lot sizes allowed with the affordable housing density bonus option. See staff report for specific section references.

Fair & Affordable Housing Sub-committee Report

▪ Item #4 - Allow Multi-Family Residential in Additional Zones

- 1) Allow multi-family residential as a permitted use in the EZ-1 zoning district in any form district. Multi-family residential is currently allowed only in the Traditional Form Districts in the EZ-1 zone as a permitted use with special standards (Section 4.3.5). Section 4.3.4 also currently allows multi-family residential on EZ-1 zoned properties in the Suburban Workplace form district only if an existing structure is being reused. The sub-committee proposes eliminating Sections 4.3.4 & 4.3.5 from the Land Development Code. Section 2.6.1 should be amended to allow multi-family residential as a permitted use at a maximum density of 217 dwellings per acre, which is the density previously used in Section 4.3.4 (density equivalent to OR-3, OTF, C-2, W-1 & W-2 zones.)
- 2) Allow multi-family residential as a permitted use in the PRO Professional Research Office zoning district. Proposed residential density in PRO should be the same as another similar zone, PEC Planned Employment Center. PEC's residential density is the same as C-1, 34.84 dwellings per acre.
- 3) Multi-family residential development is only allowed in the OR Office Residential zone after a Conditional Use Permit is granted, but is allowed as a permitted use in all other office/residential zoning districts. The sub-committee proposes the elimination of CUP Section 4.2.37 and to allow multi-family residential as a permitted use in the OR zoning district. The OR zone already allows single-family residential at a density of 12 dwellings per acre. The same density should apply to multi-family residential in the OR zone.

Fair & Affordable Housing Sub-committee Report

- Item #5 - Allow Multi-Family Residential in Additional Zones
- Allow attached housing (zero lot-lines) as a permitted use in the R-5A zone, similar to how this housing style is currently allowed in the PRD zoning district. This would expand the housing options available to the R-5A zone without requiring an additional zoning change.
- Changes involved:
 - 1) Section 2.2.9.A - Add “Dwellings, single-family attached and detached” to permitted use list.
 - 2) Within Section 2.2.9, add a reference to portions of Section 2.7.3 PRD that apply.
 - 3) Within Section 2.2.9, add reference to applicable Section 5.2.2.D & 5.3.1.D Alternative Housing Styles for dimensional requirements.
 - 4) Amend Section 5.2.2.D & 5.3.1.D to refer to R-5A single family attached and detached developments.

Website Information

- www.louisvilleky.gov
- Navigate to Planning & Design Services Department page
- Select Land Development Code Icon
- Select Land Development Code Improvement Committee Link

Land Development Code Improvement Committee

One of the recommendations from the Planning & Design Services audit is to update and simplify the Land Development Code. The Land Development Code (LDC) Improvement Committee consists of Louisville Metro Government staff, representatives from the development industry, representatives from neighborhood groups, as well as other organizations and citizen groups. The LDC Committee will meet regularly to discuss suggested changes to the LDC. These suggestions have been received from various interested parties and citizens throughout the community.

The LDC Committee has completed the first phase of the project that focused on minor technical changes that will improve the functionality of the LDC.

The Planning Commission recommended approval of Round One of text amendments to the Land Development Code on March 29, 2012. This recommendation is to legislative bodies with zoning authority in Louisville Metro.

[Minutes from Text Amendment Review at Planning Commission March 29](#)

Planning Committee discussion of Round One of LDC Text Amendments

[Minutes from the February 9, 2012 Planning Committee Meeting](#)

(The section of the minutes from the February 9 Planning Committee meeting that cover Round One discussion are highlighted in yellow and begin on page 4.)

Updated Committee Comment List [June 1, 2012](#)

Proposed Text Amendments [Proposed LDC Text Amendment List DRAFT](#)

<u>Meeting Date</u>	<u>Agenda</u>	<u>Meeting Summary</u>
<u>Round Two Meetings:</u>		
May 22, 2012	<u>agenda</u>	<u>Round Two Kick-Off Meeting Presentation</u> <u>summary</u>
<u>Round One Meetings:</u>		
January 17, 2012	<u>agenda</u>	<u>summary</u>
December 20, 2011	<u>agenda</u>	<u>summary</u>
December 6, 2011	<u>agenda</u>	<u>summary</u>
November 22, 2011	<u>agenda</u>	<u>summary</u>
November 8, 2011	<u>agenda</u>	<u>summary</u>
October 25, 2011	<u>agenda</u>	<u>summary</u>
October 11, 2011	<u>agenda</u>	<u>summary</u>
September 27, 2011	<u>agenda</u>	<u>summary</u>

Subcommittees

Subcommittees of the Land Development Code Improvement Committee have been formed to study particular sections and issues in the code. These subcommittees and meeting dates are listed below. Additional information about the work of each subcommittee will be posted as it becomes available.

All meetings will occur in the Metro Development Center, 444 S. Fifth Street.

Permitted/Conditional Use Listings Review - June 14 - 3:00 - 4:30 pm - 6th floor conference room

The following meetings will be conducted in the **first floor conference room**:

Form Districts - June 26 - 3:00 to 4:30 pm

Infill Development Standards - June 26, July 10, and July 24 - 9:00 to 10:30 am

Landscaping/Tree Canopy Requirements - June 25, July 9, and July 23 - 3:00 to 4:30 pm

Development Review Process - Monday, June 11th - 2:00 to 3:30 pm

Fair & Affordable Housing - Tuesday, June 12th - 9:00 to 10:30 am

Major/Minor Subdivisions - Tuesday, June 12th - 2:00 to 3:30 pm

Transportation/Mobility/Parking - Wednesday, June 13th - 10:00 to 11:30 am

Miscellaneous Research - Wednesday, June 13th - 2:00 to 3:30 pm